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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Guerino G. SACRIPANTE et al.

Group Art Unit: 1792

Application No.: 10/765,327

Examiner: W. FLETCHER

Filed: January 28, 2004

Docket No.: 118410

For: EMULSION AGGREGATION PROCESS FOR FORMING A POWDER COATING COMPOSITIONS, POWDER COATING COMPOSITIONS AND METHOD FOR USING SAME

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the October 18, 2007 Restriction and Election of Species Requirement, Applicants provisionally elect Group I, claims 1-13, 21-35 and 37-40 and elect epoxy resins as a Species, with traverse. At least claims 1-13, 21-35 and 37-40 read on the elected species. At least claims 1, 13, and 37 are generic to all species.

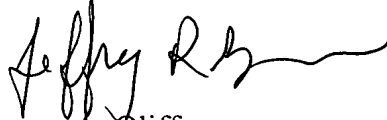
It is also respectfully submitted that the subject matter of all claims and species is sufficiently related that a thorough search for the subject matter of any one Group of claims or species would encompass a search for the subject matter of the remaining claims or species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should

apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Applicants further understand, however, that upon search, examination, and allowance of the elected species, search and examination will continue as to the non-elected species within the scope of the generic claims.

Thus, withdrawal of the Restriction and Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: November 19, 2007

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